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10/056,849	01/25/2002	Makoto Tanaka	SCEIYO 3.0-111	3763
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LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			PEREZ, ANGELICA	
			ART UNIT	PAPER NUMBER
			2684	

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/056,849

**Applicant(s)**

TANAKA ET AL.

**Examiner**

Angelica M. Perez

**Art Unit**

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2002.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-34 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-4, 8-15 and 19-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Ishikawa (Ishikawa et al.; US Patent No.: 5,909,652 A).

Regarding claim 1, Ishikawa teaches of a method for exchanging information between communication devices performing wireless communication (column 14, lines 5-7; where “radio communications” correspond to “wireless communication”), comprising: creating an electrical connection between first and second communication devices that are to be parties to wireless communications between one another (column 2, lines 16-27; where the electrical connection is

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done thought radio waves); generating communication information for specifying the parties to the wireless communications (column 2, lines 16-27; where the party specifying communication is done when the identification information is obtained once the storage mediums are installed in the communication terminals); exchanging the communication information between the first and second communication devices via the electrical connection (column 2, lines 16-27; where the exchange of information occurs when the storing medium is performed; e.g., "system identification information"); adding the communication information to the wireless communications transmitted between the first and second communication devices (column 2, lines 16-27; where "adding the communication information" corresponds to "...copies the system identification information onto the storing medium").

Regarding claim 12. An information communication system for performing wireless communication (column 1, lines 6-10), comprising: a first communication device having a first connector (column 2, lines 16-27 and figure 4, item 44); a second communication device having a second connector adapted for operative connection to the first connector to form an electrical connection between the first and second communication devices (figure 4, item 44 and column 7, lines 54-57; where every communication device is adapted with an ID chip that contains a connector), the first and second communication devices to be parties to wireless communications between one another (column 2, lines 16-27; where the two devices belong to the same system); a generating unit operable to generate communication information for specifying the parties to the wireless

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communications (figure 2, item 28); and exchanging means for exchanging the communication information between the first communication device and the second communication device via the electrical connection (column 2, lines 16-27 and figure 2, item 10).

Regarding claims 2 and 13, Ishikawa teaches all the limitations of claims 1 and 12, respectively. Ishikawa further teaches where the communication information is characteristic identification information of the first and second communication devices (column 16-27; where the "system identification information" is characteristic identification information of the communication devices).

Regarding claims 3 and 14, Ishikawa teaches all the limitations of claims 1 and 12, respectively. Ishikawa further teaches where the communication information is a predetermined password (column 7, lines 15-24; e.g., "...password is input by user in starting to use or operate the PHS terminal...user is a genuine one).

Regarding claims 4 and 15, Ishikawa teaches all the limitations of claims 3 and 14, respectively. Ishikawa further teaches where the predetermined password is a random number (column 7, lines 25-27; where is inherent for users to generate passwords using random numbers).

Regarding claims 8 and 19, Ishikawa teaches all the limitations of claims 1 and 12, respectively. Ishikawa further teaches of providing a relay station (figure 1, items 2 or 3 and column 8 lines 15-16); creating an electrical connection between the first communication device and the relay station (column 8, lines 44-

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46; e.g., "...radio communication between the base station and the terminal"); creating an electrical connection between the second communication device and the relay station (column 8, lines 54-62; where the master, base station, communicates with the slaves, mobile terminals); and exchanging the communication information between the first communication device and the second communication device via the relay station and the electrical connections (column 8, lines 54-62; where the base station is inherently required in the communication exchange).

Regarding claims 9 and 20, Ishikawa teaches all the limitations of claims 8 and 19, respectively. Ishikawa further teaches of capturing the communication information for specifying the parties to the wireless communications between the first and second communication devices in a third communication device (figure 8, lines 30- 62); exchanging the communication information between the third communication device and the second communication device (figure 8, lines 30- 62); and notifying the first communication device from the third communication device that the exchange of the communication information with the second communication device has been completed (figure 8, lines 30- 62; where the limitations described in the claims are inherent in the process of setting up a communication between mobile stations and base station).

Regarding claims 10 and 21, Ishikawa teaches all the limitations of claims 1 and 12, respectively. Ishikawa further teaches of storing the communication information for specifying the parties to the wireless communications (column 2, lines 16-27; e.g., "...first radio communication terminal, when the storing medium

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is installed therein, copies the system identification information... and the second radio communication terminal is allowed to communicate in peer-to-peer mode... when...the system identification information...is copied installed thereon.”).

Regarding claims 11 and 22, Ishikawa teaches all the limitations of claims 8 and 19, respectively. Ishikawa further teaches storing the communication information for specifying the parties to the wireless communications in the relay station (column 8, lines 15-16).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5-16, 16-17, 23-28 and 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishikawa (Ishikawa et al.; US Patent No.: 5,909,652 A) in view of Maggenti (Maggenti et al.; US Pub. No.: 2002/0052214 A1).

Regarding claims 5 and 16, Ishikawa teaches all the limitations of claims 1 and 12, respectively.

Ishikawa does not teach where the communication information is information indicating a communication frequency used only by the first and second communication devices.

In related art concerning a controller for maintaining user information in a group communication network, Maggenti teaches where the communication information is information indicating a communication frequency used only by the first and second communication devices (paragraphs 0007, lines 5-8; e.g., "...relays on single frequency..." and 0248, lines 12-16; e.g., "...capable of hosting multiple independent PPP sessions, one of each connected modem user"; where the point-to-point sessions connect a pair of users).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Ishikawa's method for exchanging information between communication devices with Maggenti's indicating a communication frequency used only by the first and second communication devices in order to allow both point-to-multipoint and point-to-point communications, as taught by Maggenti.

Regarding claims 6 and 17, Ishikawa teaches all the limitations of claims 1 and 12, respectively. Maggenti further teaches where the communication information is information indicating a wireless channel used only by the first and second communication devices (column 0007, lines 37-43; lines 5-8; e.g., "dedicated channel").

Regarding claim 23, Ishikawa teaches of generating communication information for specifying parties to wireless communications between first and second communication devices when an electrical connection is established between the first and second communication devices (column 2, lines 16-27; where the party specifying communication is done when the identification



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information is obtained once the storage mediums are installed in the communication terminals); exchanging the communication information between the first and second communication devices via the electrical connection (column 2, lines 16-27; where the exchange of information occurs when the storing medium is performed; e.g., "system identification information"); and adding the communication information to the wireless communications transmitted between the first and second communication devices (column 2, lines 16-27; where "adding the communication information" corresponds to "...copies the system identification information onto the storing medium"). Maggenti teaches of a computer-readable recording medium recorded with an information exchange processing program to be executed by a computer, the program comprising (page 23, lines 3-8):

Regarding claim 24, Ishikawa in view of Maggenti teaches all the limitations of claim 23. Ishikawa further teaches where the communication information is characteristic identification information of the first and second communication devices (column 16-27; where the "system identification information" is characteristic identification information of the communication devices).

Regarding claim 25, Ishikawa in view of Maggenti teaches all the limitations of claim 23. Ishikawa further teaches where the communication information is a predetermined password (column 7, lines 15-24; e.g., "...password is input by user in starting to use or operate the PHS terminal...user is a genuine one).

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Regarding claim 26, Ishikawa in view of Maggenti teaches all the limitations of claim 25. Ishikawa further teaches where the predetermined password is a random number (column 7, lines 25-27; where is inherent for users to generate passwords using random numbers).

Regarding claim 27, Ishikawa in view of Maggenti teaches all the limitations of claim 23. Maggenti teaches where the communication information is information indicating a communication frequency used only by the first and second communication devices (paragraphs 0007, lines 5-8; e.g., "...relays on single frequency..." and 0248, lines 12-16; e.g., "...capable of hosting multiple independent PPP sessions, one of each connected modem user"; where the point-to-point sessions connect a pair of users).

Regarding claim 28, Ishikawa teaches all the limitations of claim 23. Maggenti further teaches where the communication information is information indicating a wireless channel used only by the first and second communication devices (column 0007, lines 37-43; lines 5-8; e.g., "dedicated channel").

Regarding claim 30, Ishikawa teaches all the limitations of claim 23. Maggenti further teaches where exchanging the communication information between the first communication device and the second communication device via a relay station forming a first electrical connection with the first communication device and a second electrical connection with the second communication device (paragraph 0041).

Regarding claim 31, Ishikawa in view of Maggenti teaches all the limitations of claim 30. Ishikawa further teaches of providing a relay station

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(figure 1, items 2 or 3 and column 8 lines 15-16); creating an electrical connection between the first communication device and the relay station (column 8, lines 44-46; e.g., "...radio communication between the base station and the terminal"); creating an electrical connection between the second communication device and the relay station (column 8, lines 54-62; where the master, base station, communicates with the slaves, mobile terminals); and exchanging the communication information between the first communication device and the second communication device via the relay station and the electrical connections (column 8, lines 54-62; where the base station is inherently required in the communication exchange).

Regarding claim 32, Ishikawa in view of Maggenti teaches all the limitations of claim 23, respectively. Ishikawa further teaches of storing the communication information for specifying the parties to the wireless communications (column 2, lines 16-27; e.g., "...first radio communication terminal, when the storing medium is installed therein, copies the system identification information... and the second radio communication terminal is allowed to communicate in peer-to-peer mode... when...the system identification information...is copied installed thereon.").

Regarding claim 33, Ishikawa in view of Maggenti teaches all the limitations of claim 30. Ishikawa further teaches storing the communication information for specifying the parties to the wireless communications in the relay station (column 8, lines 15-16).

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5. Claim 7, 18, 29 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishikawa (Ishikawa et al.; US Patent No.: 5,909,652 A) in view of Palvianen (Palvianen, Keijo; US Patent No.: 6,662,005 B1).

Regarding claims 7 and 29, Ishikawa teaches all the limitations of claims 1 and 23, respectively. Ishikawa further teaches of exchanging the communication information for each party between the first communication device and the communication device for that party via the electrical connection between the first communication device and the communication device for that party (column 2, lines 16-27; e.g., communication through radio waves, where the exchange of information occurs when the storing medium is performed; e.g., "system identification information").

Ishikawa does not specifically teach of creating an electrical connection sequentially between the first communication device and each one of a plurality of communication devices that are to be parties to wireless communications with the first communication device; generating communication information for specifying each one of the parties to the wireless communications, the communication information for each party being different from the communication information for the other parties.

In related art concerning data access in a closed user group, Palvianen teaches of creating an electrical connection sequentially between the first communication device and each one of a plurality of communication devices that are to be parties to wireless communications with the first communication device (column 4, lines 64-65 and column 7, lines 54-60; where a one-to-one

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communication is established with one of a plurality of communication devices that are to be parties of the first communication device); generating communication information for specifying each one of the parties to the wireless communications (column 7, lines 48-54; where a check of group belonging is performed), the communication information for each party being different from the communication information for the other parties (column 7, lines 54-60; where the set-up call is a one-to-one set up; therefore, the communication held will vary).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Ishikawa's method for exchanging information between communication devices with Palvianen's individualized communication with each one of a plurality of devices belonging to the same group in order to provide the user with different access options in a closed group communication network, as taught by Palvianen.

Regarding claim 18, Ishikawa teaches all the limitations of claim 12. Ishikawa further teaches of a plurality of communication devices each having a connector adapted for operative connection to the first connector to form sequential electrical connections between the first communication device and each one of the communication devices that are to be parties to wireless communications with the first communication device (figure 4, item 44 and column 7, lines 54-57; where every communication device is adapted with an ID chip that contains a connector), where the generating unit is operable to generate communication information for specifying each one of the parties to the wireless

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communications (column 2, lines 16-27; where the party specifying communication is done when the identification information is obtained once the storage mediums are installed in the communication terminals); and the exchanging means exchanges the communication information for each party between the first communication device and the communication device for that party via the electrical connection between the first communication device and the communication device for that party (column 2, lines 16-27; where the exchange of information occurs when the storing medium is performed; e.g., "system identification information"). Palvianen teaches of the communication information for each party being different from the communication information for the other parties (column 7, lines 54-60; where the set-up call is a one-to-one set up; therefore, the communication held will vary).

Regarding claim 34, Palvianen teaches of a method for exchanging information between a plurality of communication devices performing wireless communication (column 4, line 64-65; e.g., "set up calls"), comprising: creating an electrical connection sequentially between pairs of the plurality of communication devices (column 7, lines 54-60; e.g., "...IC(A)  $\in$  {IC(B)} is true..." corresponding to a pair from a plurality of users), the pairs of communication devices to be parties to wireless communications with one another (column 7, lines 54-60; where both parties belong to the same CUG, closed user group); the communication information for each pair of parties being different from the communication information for the other pairs of parties (column 7, lines 54-60; where the set-up call is a one-to-one set up; therefore, the communication held

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will vary). Ishikawa teaches of generating communication information for specifying each pair of parties to wireless communications (column 2, lines 16-27; where the party specifying communication is done when the identification information is obtained once the storage mediums are installed in the communication terminals); and exchanging the communication information for each pair of parties between a communication device for a first party in the pair and a communication device for a second party in the pair via the electrical connection between the communication device for the first party in the pair and the communication device for the second party in the pair (column 2, lines 16-27; where the exchange of information occurs when the storing medium is performed; e.g., "system identification information").

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**Conclusion**


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angelica Perez whose telephone number is 703-305-8724. The examiner can normally be reached on 7:15 a.m. - 3:55 p.m., Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and for After Final communications.

Information regarding Patent Application Information Retrieval (PAIR) system can be found at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2600's customer service number is 703-306-0377.

  
Angelica Perez  
(Examiner)

EDAN ORPAD  


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August 13, 2004